

REMARKS

Claims 1-17 are pending in this application. By this Amendment, claims 1-4, 6, 7, 9-12 and 14, and the specification, are amended. The amendments introduce no new matter. Claim 16 is canceled without prejudice to, or disclaimer of, the subject matter recited in that claim. Reconsideration of the application based on the above amendments and the following remarks is respectfully requested.

Applicant appreciates the courtesies shown to Applicant's representative by Examiner Tran during the December 14, 2005 personal interview. Applicant's separate record of a summary of the substance of the interview is contained in the following remarks. Specifically, claim 1 is amended, in part, based on the very helpful comment provided by Examiner Tran during the interview.

I. The Drawings Are Correct

A. The Office Action, in paragraph 2, renews the objection made in paragraph 2 of the previous Office Action. Specifically, reference numbers 5 and 9 depicted in Figs. 1-7 are asserted to "have both been used to designate 'a support arm.'" As such, the drawings are objected to as failing to comply with 37 C.F.R. §1.84(p)(4) which states that "[t]he same part of an invention appearing in more than one view of the drawing must always be designated by the same reference character." Applicant reasserts the argument stated on pages 9 and 10 of Applicant's June 22 Amendment replying to the previous Office Action regarding this application that element number 5 designates a support arm (see claim 1) and element number 9 designates a curved or bent tube (see claim 2) that is a part of the support arm 5. This argument has not been addressed, and no analysis has been set forth showing that it is deficient. In all cases, references to element 9 include lead lines that lead directly to, and terminate at, the tube that is a part of support arm 5. Support arm 5 is, in all cases, designated with an arrow to indicate the entire section towards which it points (see 37 C.F.R.

§1.83(r)(1)). As such, element numbers 5 and 9 do not designate the same element. Element number 9 is a part of the section towards which the arrow designating element 5 points.

Withdrawal of the above-enumerated objection to the drawings is respectfully requested.

B. The Office Action, in paragraph 3, after making numerous objections to the drawings in the previous Office Action, newly objects to the drawings as allegedly failing to show the "angular positional range of the support arm from 60° and up to 120°" as recited in claim 5 and described in the specification. Applicant believes it important to note that the above-quoted language from the Office Action is not precisely the language recited in claim 5. The Office Action admits that this feature is adequately described in the specification. With reference to 37 C.F.R. §1.81(a), Applicant has met the requirement "to furnish a drawing of [the] invention where necessary for the understanding of the subject matter sought to be patented." Further, at least Fig. 4 adequately depicts the feature wherein an angular distance between the first position of the support arm and the second position of the support arm is approximately 60° and the angular distance between the second position of the support arm and the at least one third position of the support arm is also approximately 60°, the support arm thus having an angular positional range of up to approximately 120°. These individual positions are noted in Fig. 4 as being approximated, in exemplary manner, by positions B and C, adequately covering a range through which the angular position of the support arm may traverse in operation. Clearly, Applicant has met any burden necessary to show every feature of the invention specified in the claims.

Accordingly, withdrawal of the above-enumerated objection to the drawings is respectfully requested.

Applicant's representative presented the above arguments in support of withdrawal of the drawing objections to Examiner Tran in the December 14 personal interview. The

Examiner indicated that (1) he would have to discuss matter A. above further with his Supervisor, and (2) regarding matter B. above the drawings were, in fact, correct based on Applicant's assertions.

II. Section Headings In The Specification Are Not "Required"

The Office Action, in paragraph 4, objects to the disclosure for an informality. Specifically, the disclosure is asserted to lack section headings, concluding that "(a)ppropriate correction is required." Applicant respectfully directs the attention of the Examiner to the appropriate sections of the MPEP wherein it is stated that section headings are suggested and/or should be included. As such, inclusion of section headings is not required, nor is correction of the specification to include section headings. In an effort, however, to expedite further prosecution of this application, Applicant voluntarily amends the specification to include section headings.

III. Allowable Subject Matter

The Office Action, in paragraph 5, indicates that claims 6-15 recite allowable subject matter. Specifically, the Office Action indicates that these claims would be allowable if rewritten in independent form including all of the features of the base claim and any intervening claims. Applicant appreciates this indication of allowability. Applicant, however, respectfully submits that at least independent claim 1, from which these claims indirectly depend, is allowable for the reasons indicated below.

IV. All Claims Recite Allowable Subject Matter

The Office Action, in paragraph 4, rejects claims 1-5, 16 and 17 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,276,488 to Divine et al. (hereinafter "Divine"). This rejection is respectfully traversed.

Divine teaches a crane extension system, the improvement comprising a mounting platform assembly and a mounting basket secured to the mounting bracket assembly

(Abstract). The invention disclosed in Divine relates generally to cranes and more particularly to a system which extends the effective height of a crane and even more particularly to a system which can be used in conducting of RF drive tests (col. 1, lines 5-9). In other words, the invention of Divine extends an antenna on a boom in an effort to simulate the placement of antennas to confirm the correctness of the location of an antenna before the real antenna is actually placed on a permanent support tower. As such, in Divine, the test antenna projects above the crane boom so that the test antenna is not interfered with by the crane boom (see at least Fig. 3 and the discussion of that figure contained in Divine).

Claim 1 recites a radio-control antenna support device, comprising: a support arm that can be pivotally mounted to at least one of a lower frame or lower chassis of a tower crane, the support arm including a head upon which is mounted at least one radio-control antenna, wherein the head is radially offset from a vertical pivoting axis of the support arm and the support arm can be oriented about the vertical pivoting axis and can be positioned in at least two separate angular positions.

The Office Action, in asserting that the features recited in at least independent claim 1 are taught by Divine, fails in its analysis for at least the following reasons.

First, Divine neither teaches, nor would have suggested, a radio-controlled tower crane.

Second, Divine's extendible boom 225 shown in at least Fig. 3 cannot reasonably be considered to correspond to a support arm pivotally mounted to at least one of a lower frame or lower chassis of a tower crane for mounting a radio-control antenna.

Third, Divine's basket 235 cannot reasonably be considered to correspond to a head upon which is mounted the at least one radio-control antenna.

Fourth, there is nothing in Divine that teaches, or even would have suggested, that the test antenna 245 can reasonably be considered to correspond to a radio-control antenna for the tower crane.

For at least the above reasons, Divine cannot reasonably be considered to teach, or to have suggested, the combination of all of the features recited in at least independent claim 1. Further, claims 2-5 and 17 are also neither taught, nor would they have been suggested, by Divine for at least the respective dependence of these claims directly or indirectly on independent claim 1, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the rejections of claims 1-5 and 17 as being anticipated by Divine are respectfully requested.

Applicant's representative discussed the above arguments with Examiner Tran during the December 14 personal interview. The Examiner indicated that he could broadly read the disclosure of Divine to correspond to certain of the above-enumerated features based on the broad manner in which those features were claimed. Applicant's representative indicated that the language recited in the claims must be read for all they recite and in light of the specification. The Examiner indicated that further consideration of the arguments that Applicant's representative presented would be given upon filing of a formal response.

In view of the foregoing, Applicant respectfully submits that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-5 and 17, in addition to the indicated allowable subject matter of claims 6-15, are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number set forth below.

Respectfully submitted,



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WPB:DAT/axl

Attachment:
Amended Abstract

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